CLASSIFICATION OFFICE DECISION

Title of publication:	16533980gfa.jpg
Other known title(s):	Not stated
OFLC ref:	1100091.000
Medium:	Computer Image File Printout
Publisher:	Not stated
Country of origin:	Not stated
Language:	Not applicable
Applicant:	Commissioner of Police
Classification:	Unrestricted.
Descriptive note:	None
Display conditions:	None
Date of entry in Register:	30 March 2011
Date of direction to issue a label:	No direction to issue a label has been issued

Summary of reasons for decision:

The computer image file printout shows a girl standing on a beach, wearing swimwear or a singlet and underpants. She has her hand down her pants, in what looks to be an unconscious act that has been captured by the photographer without her awareness. Given the beach environment it is not unusual for a girl to be dressed the way she is, and she is not considered to be nude or partially nude in terms of s3(1A) of the Films, Videos and Publications Classification Act 1993 (FVPC Act), nor is there anything else sexual about the image.

As the publication raises no issues under s3(1), s3A or s3B of the FVPC Act, it must therefore be classified as unrestricted. This classification is consistent with the right to freedom of expression as set out in s14 of the New Zealand Bill of Rights Act 1990.